

IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICKY LEE STEWART,

Plaintiff,

vs.

SAN QUENTIN STATE PRISON, et  
al.,

Defendants.

No. C 10-02960 JF (PR)

ORDER GRANTING EXTENSION  
OF TIME TO FILE CERTIFICATE  
OF FUNDS IN PRISONER'S  
ACCOUNT

On July 2, 2010, Plaintiff filed a complaint in pro se pursuant to 42 U.S.C. § 1983, and an application to proceed in forma pauperis. However, the application was insufficient because Plaintiff failed to submit a Certificate of Funds in Prisoner's Account completed and signed by an authorized officer of the institution. (Docket No. 2.) On the same day, the clerk of the Court sent Plaintiff a notice advising him that the action would be dismissed if he did not submit the missing documentation or pay the full filing fee within thirty days of the notice. (See Docket No. 3.)

On July 21, 2010, Plaintiff filed another application to proceed in forma pauperis. However, this application is also deficient because Plaintiff has again failed to submit a Certificate of Funds in Prisoner's Account completed and signed

1 by an authorized officer of the institution. (Docket No. 4.) In the interest of justice,  
2 the Court will grant Plaintiff an extension of time to submit the missing  
3 documentation to avoid dismissal of this action.

4 Plaintiff shall submit the completed Certificate of Funds within **thirty (30)**  
5 **days** of the date this order is filed. **Failure to comply with this order in the time**  
6 **provided shall result in the Court's dismissal of this action without prejudice**  
7 **without further notice to Plaintiff.**

8 The clerk of the Court shall enclose two blank copies of the "Certificate of  
9 Funds in Prisoner's Account" with a copy of this order to Plaintiff.

10 IT IS SO ORDERED.

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12 DATED: 7/28/10

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14 JEREMY FOGEL  
15 United States District Judge  
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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

RICKY LEE STEWART,  
Plaintiff,

Case Number: CV10-02960 JF

**CERTIFICATE OF SERVICE**

v.

SAN QUENTIN STATE PRISON, et al.,  
Defendants.

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I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 8/6/10, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ricky Lee Stewart K91574  
Deuel Vocation Institution  
P.O. Box 600 #238  
Tracy, CA 95378

Dated: 8/6/10

Richard W. Wieking, Clerk